



Minutes of the Development Review Commission September 26, 2017

Minutes of the regular hearing of the Development Review Commission, of the City of Tempe, was held in Council Chambers,
31 East Fifth Street, Tempe, Arizona

Present:

Chair Linda Spears
Commissioner Thomas Brown
Commissioner Philip Amorosi
Commissioner Andrew Johnson
Commissioner Scott Summers
Commissioner Mike DiDomenico
Alternate Commissioner Nicholas Labadie

Absent:

Vice Chair David Lyon
Alternate Commissioner Angela Thornton
Alternate Commissioner Barbara Lloyd

City Staff Present:

Chad Weaver, Community Development Director
Ryan Levesque, Comm. Dev. Deputy Director - Planning
Suparna Dasgupta, Principal Planner
Diana Kaminski, Senior Planner
Cynthia Jarrad, Administrative Assistant

Hearing convened at 6:05 p.m. and was called to order by Chair Linda Spears.

Consideration of Meeting Minutes:

The following Agenda items #1 and #2 were considered together.

- 1) Study Session Minutes, September 12, 2017
- 2) Regular Meeting Minutes, September 12, 2017

MOTION: Motion made by Commissioner Amorosi to approve Study Session and Regular Meeting minutes for September 12, 2017. Motion seconded by Commissioner Johnson.

VOTE: Motion passes 4-0.

- 3) Request for a Development Plan Review consisting of a new office building for **LOT 4 BTS (PL170255)**, located at 2106 East Rio Salado Parkway. The applicant is Butler Design Group.

PRESENTATION BY STAFF:

Ms. Diana Kaminski, Senior Planner, gave a brief presentation. This is a proposed two-story office building for Rio Salado 2100, this is Phase 9 of a phased plan, and it sits north of the hotel that is already constructed and east of Tempe Marketplace. The Commission is looking at site plan, elevations, and landscape plan this evening. The developer has added more than the required amount of parking. There is already a specific tenant for this building. Ms. Kaminski noted that this is one instance in which staff is supporting using some artificial turf in the landscaping, as since this site is part of a former landfill, there are restrictions on the amount of water-intensive landscape allowed.

Staff has not received

any inquiries and the applicant is in agreement with the conditions set by staff.

PRESENTATION BY APPLICANT:

Mr. Todd Lawrence of Butler Design Group spoke to the Commission as the architect for the project and also representing the developer, Boyer Companies. Boyer completed Building A, directly across the street from this proposed project, earlier this year. They already have a tenant, Benchmark Electronics. He described materials used and shared renderings, the palette is primarily what was used for Building A, with a lot of the same elements and forms. The tenant will be adding solar park canopies, they have worked with staff and have added some landscaping and increased shading components.

Commissioner Brown inquired about the compaction of the site. Mr. Lawrence stated that no further compaction would be taking place. Commissioner Brown also asked about the size of the floor plate, as it looks very wide and that will be a challenge. Mr. Lawrence stated that this is all office space, the tenant will need to ensure they are complying with code requirements. Mr. Lawrence further clarified that this floorplate is actually smaller than Building A across the street.

PUBLIC COMMENT: None.

COMMENTS BY THE COMMISSION: None.

MOTION: Motion made by Commissioner Amorosi to approve a Development Plan Review consisting of a new office building for **LOT 4 BTS (PL170255)**, located at 2106 East Rio Salado Parkway. Motion seconded by Commissioner DiDomenico.

VOTE: Motion passes 7-0.

- 4) Request for an Amended Planned Area Development and Development Plan Review consisting of a new 310 room hotel and a Use Permit for entertainment for **WESTIN TEMPE (PL170238)**, located at 11 East 7th Street. The applicant is Sender and Associates.

PRESENTATION BY STAFF:

Ms. Diana Kaminski, Senior Planner, gave a presentation on the project. The applicant is requesting an amendment to the Planned Area Development. The hotel would sit mid-block on the south side of 7th Street, between Mill Avenue and Myrtle Avenue. There are two existing structures currently at this site. This project will eventually be flanked by projects to the east and west, which are also coming through the application process. The applicant is proposing an increase to lot coverage, from 81 to 85%, and a decrease in landscape area on the ground floor. She shared the site plan, elevations, floor plans, materials, palette, etc. All services would enter at the alleyway at southwest corner. Entry for guests is on the north side, with additional parking on the street front. The garage is below grade, and they do meet the parking requirements for the downtown standards. The setback was increased on the west side, to allow for some additional landscape area. There will be a zero lot line on the east side and the north side. There is a small rooftop landscape element on the southwestern corner that is viewed from the top. Floor 4 through 16 are standard rooms, and the amenity deck is on the 18th floor. She spoke about landscape specifics and shared renderings. She explained in detail some of the conditions in the report, for clarity. The applicant is on board with these conditions with the possible exception of the condition that requires them to use a material besides Exterior Insulation Finishing System (EIFS).

Ms. Kaminski also informed the Commission that by mutual agreement with the applicant, PAD Condition #4 has been modified. She read into the record the modified condition as follows:

A demolition permit may not be issued for any existing structures on the site until one of the following occurs: 1) a mass excavation permit is issued that includes a shoring and excavation of the basement level; or 2) a phased foundation permit is issued; or 3) a complete building permit submittal is accepted by the Community Development Department.

Commissioner Brown asked for clarity concerning some of the colors in the renderings and which color or material staff was objecting to. Ms. Kaminski explained further, stating the colors depicted in the renderings and the actual material samples which came later to staff, did not match. Commissioner Brown asked if this EIFS would in fact not be that visible to someone on the street, as there will be a two story building on that side, so it would only be visible

from about 3 stories and above. Ms. Kaminski agreed, but pointed out that it would also be visible from all of the other existing buildings in the area, and it would be the only building of this size and caliber with a stucco tower.

Chair Spears inquired if the "wings" were truly a metal product that was being painted. Ms. Kaminski clarified that it was and shared the materials board with the Commissioners.

PRESENTATION BY APPLICANT:

Ms. Darin Sender of Sender and Associates spoke, representing the developer, CAI Investments, LLC, along with the Westin brand. They have been working closely with the proposed multi-family neighbor to the east for a cohesive development. She pointed out some of the existing structures in the surrounding area, and stated they are not requesting a zoning change. The zoning allows for 300 feet in height, and this project is 224 feet at the highest point, and it is only that height because of shade structures. Mr. Joe Ellis of RSP Architecture then spoke about more specifics of the project. He stated that Westin is a four-star hotel, and adheres to a contemporary, modern design wherever they build. Westin is confident that Tempe is a great location for them, and will be an example of their "Lifestyle Property", with their audience being what they call "The Achiever." The building will be a two story podium and then a tower above that. In the renderings, the "red" side of the tower will be visible from Mill Avenue, and they have utilized design elements and planning aspects to keep this building with a visual connection to Mill Avenue. Westin hotels have specific design elements that will be included, such as the green walls which will wrap the two-story podium, and a "living wall" on the interior ground floor. He shared two landscape plans and stated that the front sidewalk will be undulating, which will match the pattern on the driveway. On the EIFS subject, he stated that the quality of EIFS is better than stucco, as it is a pre-fab product and not applied by hand by workmen on scaffolding. In closing, Ms. Sender stated that the developer agrees with all the conditions put forth by staff except the condition regarding changing the EIFS to another building material. The developer believes that EIFS has a better R-factor for insulation, and is of course more cost-effective. Their belief is that the EIFS is not visible until a few stories up, most people will not know that it is in fact EIFS. They also believe brick would be overkill because of the brick already on Mill Avenue. She stated that citizens at the neighborhood meeting had asked for "no more brick." All of the colors in this project are in accordance with the requirements of Westin.

Chair Spears inquired as to what the guarantee was that this would be a Westin hotel? Mr. Ellis responded that there is a franchise agreement and a financial commitment already in place with Westin. The franchise agreement requires construction to begin by January 5, 2108, with opening by June of 2019. If this does not occur, Westin imposes financial penalties. Chair Spears then asked if there is a full service restaurant open to the public in this hotel and Ms. Senders replied that there is, plus a coffee shop.

Commissioner Brown asked for clarification about the colors portrayed in the renderings and which is the applicant's preference, some looked tan and some looked gold. He stated he thought the Commission was not fond of the gold color. He also asked if, when the EIFS is being made, is it sealed, and does it need to be sealed at certain intervals in the future? Mr. Ellis responded yes, every five years. Commissioner Brown asked if the color is integral when making the EIFS and if it would fade. Mr. Ellis responded that it depended on the type of EIFS that was used, Commissioner Brown asked the name of the specific EIFS product, and Mr. Ellis responded that he did not know it off the top of his head. He then added that they would certainly look at that, as red is a color that might fade to a different color over

time. The panels can also be painted, which would give them a sand type texture, but they want them to remain as smooth as possible.

Commissioner Sumners stated for clarification that EIFS is a product that basically looks like stucco. Also that most of the EIFS on this project would be 40 to 45 feet and above. Mr. Ellis stated that yes, primarily the EIFS would be on the tower, and above 45 feet.

Commissioner Johnson asked if the material bordering the "Westin" sign is a metal panel. Mr. Ellis replied that it was. Commissioner Johnson also stated he had been at the neighborhood meeting, and, like staff, had understood the material that would be used would be an upgrade, not EIFS. Mr. Ellis replied that they had looked at cementitious panels, but then did value engineering and made this change to bring it into alignment. Commissioner Johnson said he did not hear anyone at the neighborhood meeting express a distaste for using brick, but that may have happened after his departure. He stated he appreciates the efforts to bring the environment "in," but that he does not like the fact that the rooftop of the podium has not been improved. Are there any plans for that? Mr. Ellis responded that they have focused their efforts on the roof on the amenity deck instead of the south roof. The south roof houses mechanical equipment, and it is directly above the ballroom, so heavy landscaping would not be an option. However, solar panels might be an option at that location.

Commissioner Labadie stated that in the view looking east, the EIFS looks like it does come down almost to street level, Mr. Ellis responded that was correct, just in that small area. Commissioner Labadie asked of staff if their objection to the EIFS portion was visual or quality of material or both. Ms. Kaminski stated that it was both, and that it was setting a precedent for quality in the downtown area. Staff had asked the applicant to tie in to the colors and materials used in the surrounding area, not necessarily brick, but new high quality materials such as metal panels, stone or porcelain tiles, etc. Staff likes the look in the rendering, but had asked that the material be something other than EIFS.

Commissioner DiDomenico stated that the applicant is meeting the parking requirements, but that is only 98 spaces, which means only one of every three guests at the hotel would be able to park there. He wondered what the reasoning behind that was. Ms. Sender stated that the parking will work because people use alternative modes of transport in the downtown area, and they will also utilize other parking structures in the area. Commissioner DiDomenico stated that he agrees that this should be workable because of the proximity of the other garages, and that this hotel is not heavy on meeting/conference space. Ms. Dasgupta stated that the parking provided meets the requirements of the Zoning and Development Code (ZDC) for required parking for hotel use in City Center (CC) zoning district. The ZDC also requires a parking management plan. Staff is comfortable with this parking provided as it is consistent with other cities and an urban model for parking. Staff also clarified that the Urban Core Study that will soon be underway would provide another opportunity to further evaluate parking within the Transportation Overlay District.

Ms. Sender stated that in regards to Condition 15c (regarding not utilizing EIFS), she would ask that the Condition either be removed or altered to reflect that EIFS would still be an alternative, but also request exploration of other materials with staff, to see if other materials would be viable for this project. The material used makes a very large impact, as this is a large portion of the project.

Commissioner Amorosi asked for some clarification as to what exactly EIFS is comprised of. It has been referred to as stucco and also as concrete panels, if they are not concrete panels, how are they different? Mr. Ellis explained the differences in these products. EIFS is a three coat application over a Styrofoam backing board. This process is done in a factory in which there is much better quality control when compared to traditional stucco that is applied manually with a trowel. Commissioner Amorosi asked what the R factor is for EIFS, as compared to a porcelain, stone, or concrete tile, which may have a higher R factor, as energy efficiency is something Westin finds important. Mr. Ellis responded that he did not know the comparative R factors, but they will meet the qualification, no matter which material is used.

PUBLIC COMMENTS:

Mr. Merrill Darcey of Tempe stated that he was unable to come to the neighborhood meeting, but he likes this project. He feels that Westin is a great brand, and feels that we should be honored that they chose this location in this neighborhood. He feels that this is an "incubation" of a walkable lodging cluster, we do not have a convention center in Tempe, but this is a good start, for small trade shows, etc. He feels that the architect and Westin itself should be the judge of the aesthetics. He urged the Commission to approve this project.

Mr. Philip Yates of Tempe, the president of the Riverside Neighborhood Association, stated that even setting aside the discussion of details, materials and aesthetics, he is looking at the height and magnitude of the project, which he feels is unacceptable. He stated he believes the parking is inadequate, and it will be more so when there is a downtown event. Please everyone keep in mind that this is a huge project.

COMMISSION COMMENTS:

Chair Spears stated that she does not like the zero lot lines, and her opinion is that the green wall at the alley is too tight as well. She is disappointed in the materials, and feels that the red color will fade sooner than later, especially with it west-facing exposure to the sun. She is not a fan of the project.

Commissioner Johnson stated that he agrees with the public that having a Westin in downtown is a positive thing, and that when people come to the downtown area, they are aware of the vehicle situation with limited parking. He does not see a problem with the site overall. He would support leaving the conditions as is, as staff recommended, they do not need to be changed.

Commissioner Amorosi stated he was glad to have Westin come to Tempe. He agrees with staff on leaving the conditions as is. He believes this should be a high quality project and he would like to see the conditions met.

Commissioner DiDomenico stated he is not concerned with the scale of the project, but he feels the bright colors on the tower probably will not last, and birds make a mess of EIFS because the gaps between panels are footholds. There is a large bird population in downtown. He has mixed feelings about the EIFS, as he thinks the color may fade and painting this product should not be done, as it changes the characteristics of the material. He agrees that Condition 15c should be modified as Ms. Sender had suggested, and in addition to that, he would like to see language indicating a new material and/or color will come back before the Commission.

Ms. Dasgupta then offered, if this is the process they chose, for staff to come back to a future Study Session to update the Commission on what materials were chosen in lieu of EIFS. Commissioner DiDomenico stated that would not be helpful, as that would not give the Commissioners a chance to weigh in on the decision. Ms. Kaminski then pointed out that the condition actually reads "... to match the rendering color and pattern." Commissioner DiDomenico was satisfied after this was pointed out.

Commissioner Brown stated that he likes the project, he is comfortable with the EIFS, and he will support . His opinion is that Condition #15c should be completely eliminated.

Commissioner Labadie stated that he agreed that it is a huge project, and he loves it. He is happy to see that Westin likes this location, he does not find the parking to be a problem, and he likes the design. He understands Condition #15c, it is written clearly, but he would like to be fair to the applicant as well. He will be listening for the motion.

Chair Spears asked of staff if this project is approved with Condition 15c intact, and if applicant and staff could not come to an agreement, there would be no reason the applicant could not come back before the Commission at that time for approval? She realizes the applicant is trying to adhere to a timeline, but this is a building we will all live with for a long time. Staff thought it was enough a concern to condition it.

Ms. Dasgupta said if that is what the Commission wanted, staff can update the Commission at a later date but the project will continue to move forward to City Council with the Commission's recommendation..

Commissioner Brown stated that he has personal experience with two EIFS buildings, one was a dark reddish brown that was as dark as the proposed color tonight, and he has seen no issues with fading 5 years later, EIFS is a good product if it is done well. He thinks it is an appropriate material and would be burdensome for the architect to have to continue working with staff on some other material. The other materials suggested could add as much as \$100,000 to \$150,000 to cost as well.

Commissioner Sumners stated he likes the description of an Urban hotel, he actually thinks it should be taller than it is. He is not concerned about parking, and appreciates the design and attention to detail within it, with the glass on the north edge, articulation on the south edge, overhangs, etc. What has not been discussed is the revenue implications for the city, really conservative numbers are probably \$800,000 to \$1,000,000 per year just in hotel tax revenues to the City of Tempe. Food and beverage and State revenues will be in addition to that. With that kind of revenue, he can accept the EIFS, especially as high as it is. His experience with EIFS is like Commissioner Brown's, it is feasible and fine.

Chair Spears stated her concerns that in the recent past, two other proposed hotels that were brought forth to the Commission within a half mile of this project also had high expectations but neither of those has been built yet.

MOTION: Motion made by Commissioner Brown to approve, including modified PAD Condition #4 on page 11 as read into the record, DPR Condition #9 on page 12, and removing Condition #15c and 15m; an Amended Planned Area Development and Development Plan Review consisting of a new 310 room hotel and a Use Permit for entertainment for **WESTIN TEMPE (PL170238)**, located at 11 East 7th Street. Motion seconded by Commissioner Sumners.

VOTE: Motion passes 4-3, with Chair Spears, Commissioners Johnson and Labadie in the dissent.

STAFF ANNOUNCEMENTS:

Ms. Dasgupta reviewed the agenda for the October 10, 2017 Development Review Commission meeting. There are currently two projects on the agenda. She also reminded the Commission that a revised Study Session Agenda would be forwarded for the October 10th meeting, as discussed earlier this evening.

There being no further business, the meeting was adjourned at 7:46pm.

Prepared by: Cynthia Jarrad



Reviewed by:
Suparna Dasgupta
Principal Planner, Community Development Planning